

JAN 12 2006

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TO: Examiner Hieu Phan, Art Unit 3738

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FROM: Angie Augustus

DIRECT DIAL NO.: 415-954-0345

E-MAIL: aaugustus@ssd.com

RE: Application No. 09/748,412

Message:

Please see attached.

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Transmittal Form
Request for Continued Examination (RCE) Transmittal
Fee Transmittal (in duplicate)

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 36 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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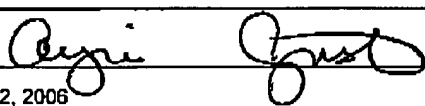
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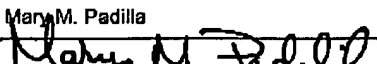
TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/748,412	
	Filing Date	December 21, 2000	
	First Named Inventor	Wouter E. Roorda	
	Group Art Unit	3738	
	Examiner Name	Hieu Phan	
Total Number of Pages in This Submission	3	Attorney Docket Number	50623.26

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Deposit Account 07-1850 Authorization <input type="checkbox"/> Postage Paid Return Postcard <input type="checkbox"/> Response To Office Action <input type="checkbox"/> Amendment Transmittal Letter <input type="checkbox"/> Statement of Common Ownership <input type="checkbox"/> Petition for Extension of Time (___ months) (1 page) (in duplicate) <input type="checkbox"/> Information Disclosure Statement (in duplicate) with Form PTO-1449 citing ___ References <input type="checkbox"/> Express Mail Label No. <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) In/Formal ___ Sheets with Submission of Drawings Transmittal <input type="checkbox"/> Issue Fee Transmittal with PTO-85b (in duplicate) <input checked="" type="checkbox"/> Request for Continued Examination Transmittal (RCE) (1 page) (in duplicate) <input checked="" type="checkbox"/> Fee Transmittal (1 page) (in duplicate) <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) ___	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Statement of Common Ownership (1 page) <input type="checkbox"/> Request for Status of Application <input type="checkbox"/> Other:
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Squire, Sanders & Dempsey L.L.P. Angie Augustus, Reg. No. 61,421
Signature	
Date	January 12, 2006

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Signature		Date	January 12, 2006

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SANFRANCISCO/171138.1

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PTO/SB/30 (10-01)

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL Address to: Commissioner for Patents Mail Stop RCE P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/748,412
	Filing Date	December 21, 2000
	First Named Inventor	Wouter E. Roorda
	Art Unit	3738
	Examiner Name	Hieu Phan
	Attorney Docket Number	50623.26

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. 1.114**

a. ☒ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on _____.
(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on ____.

iii. ☒ Other: Amendment/Response mailed December 30, 2006, via Express Mail Label EV 763797982 US

b. ☐ Enclosed

i. ☐ Amendment/Response

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☐ Other _____

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. 1.17(i) required)

b. ☐ Other _____

3. **Fees** The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 07-1850

i. ☒ RCE fee required under 37 C.F.R. 1.17(e)


ii. ☐ Extension of time fee (37 C.F.R. 1.136 and 1.17)

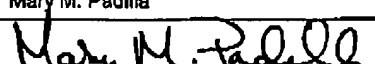
iii. ☐ Other: _____

b. ☐ Check in the amount of \$ _____ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print /Type)	Angie Augustus	Registration No. (Attorney/Agent)	61,421
Signature		Date	January 12, 2006

CERTIFICATE OF MAILING OR TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mail in a box addressed to: Commissioner for Patents, Mail Stop RCE, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:			
Name (Print /Type)	Mary M. Padilla	Date	January 12, 2006
Signature			

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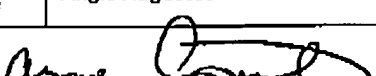
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PTO/SB/17 (11/01) (modified)
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FEE TRANSMITTAL TOTAL AMOUNT OF PAYMENT Subtotal (1) + Subtotal (2) + Subtotal (3) =	Complete if Known	
	Application Number	09/748,412
	Filing Date	December 21, 2000
	First Named Inventor	Wouter E. Roorda
	Group Art Unit	3738
	Examiner Name	Hieu Phan
	Attorney Docket Number	50623.26

METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																											
1. The Commissioner is hereby authorized to: <input checked="" type="checkbox"/> Charge the indicated fees to the below mentioned deposit account. <input checked="" type="checkbox"/> Charge any additional fee required under 37 CFR 1.16 - 1.21 or credit any over payments to the below mentioned deposit account. [†] <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Deposit Account Number: 07-1850 Deposit Account Name: Squire, Sanders & Dempsey A Duplicate Copy of this authorization is attached 2. <input type="checkbox"/> Payment Enclosed: <input type="checkbox"/> Check <input type="checkbox"/> Other		3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Entity Fee Code/Fee</th> <th>Small Entity Fee Code/Fee</th> <th>Fee Description</th> <th>Fee Due</th> </tr> </thead> <tbody> <tr><td>1051/\$130</td><td>2051/\$65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052/\$50</td><td>2052/\$25</td><td>Surcharge-late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>147/\$2,520</td><td>147/\$2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>1251/\$120</td><td>2251/\$60</td><td>Extension for response within first month[†]</td><td></td></tr> <tr><td>116/\$450</td><td>2252/\$225</td><td>Extension for response within second month[†]</td><td></td></tr> <tr><td>1253/\$1,020</td><td>2253/\$510</td><td>Extension for response within third month[†]</td><td></td></tr> <tr><td>1254/\$1,580</td><td>2254/\$795</td><td>Extension for response within fourth month[†]</td><td></td></tr> <tr><td>1255/\$2,160</td><td>2255/\$1,080</td><td>Extension for response within fifth month[†]</td><td></td></tr> <tr><td>1401/\$500</td><td>2401/\$250</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1453/\$1,500</td><td>2453/\$750</td><td>Petition to revive unintentionally abandoned Application</td><td></td></tr> <tr><td>1501/\$1,400</td><td>2501/\$700</td><td>Utility Issue Fee (Or Reissue)</td><td></td></tr> <tr><td>1502/\$800</td><td>2502/\$400</td><td>Design Issue Fee</td><td></td></tr> <tr><td>122/\$130</td><td>122/\$130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123/\$50</td><td>123/\$50</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>1806/\$180</td><td>1806/\$180</td><td>Information Disclosure Statement</td><td></td></tr> <tr><td>581/\$40</td><td>581/\$40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>1809/\$790</td><td>2809/\$395</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>1801/\$790</td><td>2801/\$395</td><td>Request for Continued Examination (RCE)</td><td>790</td></tr> <tr><td colspan="2"></td><td>Other fee (specify):</td><td></td></tr> <tr><td colspan="2"></td><td>Other fee (specify):</td><td></td></tr> <tr> <td colspan="2"></td> <td>SUBTOTAL (3)</td> <td>(\$)790.00</td> </tr> </tbody> </table>				Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due	1051/\$130	2051/\$65	Surcharge - late filing fee or oath		1052/\$50	2052/\$25	Surcharge-late provisional filing fee or cover sheet		147/\$2,520	147/\$2,520	For filing a request for reexamination		1251/\$120	2251/\$60	Extension for response within first month [†]		116/\$450	2252/\$225	Extension for response within second month [†]		1253/\$1,020	2253/\$510	Extension for response within third month [†]		1254/\$1,580	2254/\$795	Extension for response within fourth month [†]		1255/\$2,160	2255/\$1,080	Extension for response within fifth month [†]		1401/\$500	2401/\$250	Notice of Appeal		1453/\$1,500	2453/\$750	Petition to revive unintentionally abandoned Application		1501/\$1,400	2501/\$700	Utility Issue Fee (Or Reissue)		1502/\$800	2502/\$400	Design Issue Fee		122/\$130	122/\$130	Petitions to the Commissioner		123/\$50	123/\$50	Petitions related to provisional applications		1806/\$180	1806/\$180	Information Disclosure Statement		581/\$40	581/\$40	Recording each patent assignment per property (times number of properties)		1809/\$790	2809/\$395	Filing a submission after final rejection (37 CFR 1.129(a))		1801/\$790	2801/\$395	Request for Continued Examination (RCE)	790			Other fee (specify):				Other fee (specify):				SUBTOTAL (3)	(\$)790.00
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